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By: Karamvir S. Dahiya  
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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

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In re:

Chapter 11

IHAB. H. TARTIR

Case No. 10-51846

Debtor.

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**DECLARATION PURSUANT TO E.D.N.Y. LBR 9077-1**

**KARAMVIR S. DAHIYA**, an attorney licensed to practice law in the State of New York and before this Court, pursuant to 28 U.S.C. § 1746 and under the penalty of perjury declares as follows:

1. I am counsel to the Debtor, Mr. Ihab Tartir, the debtor and debtor in possession (the “Debtor”). In that capacity, I have personal knowledge of the procedural history and relevant facts of this matter.

2. I submit this declaration pursuant to E.D.N.Y. Local Bankruptcy Rule 9077-1(A) in support of the *ex parte* application of the debtor, for entry of an order pursuant to Bankruptcy Rule 2002 and 9006 shortening time and scheduling a hearing on the Motion.

**RELIEF REQUESTED**

3. We have filed a Motion seeking approval of a Settlement Agreement executed by

the debtor and New York Community Bank (“NYCB”) , a Settlement that effectively resolves all pending disputes between the respective parties. The undersigned requests that the Court shorten the time required for a hearing on the debtor’s Motion seeking approval of the Settlement as executed

4. The undersigned was supposed to file the said Motion on June 30, 2011, however the same was not done. The attorney for NYCB had made “time of essence” as a factor for approval of this settlement. It was contemplated that the Motion was to be filed with return date as July 26, 2011, which would have provided statutorily required time for the parties in this case. However since the Settlement is conditioned upon being heard on July 26, 2011 and it is in the best interest of the parties, including the debtor that the Settlement be approved, we request this court to allow a short time for notice of this motion.

5. By this Application, the undersigned requests the entry of an order pursuant to Bankruptcy Code sections 105(a), Bankruptcy Rules 2002, 9006 and 9007, and E.D.N.Y. Local Bankruptcy Rule 9077-1(c) shortening time and scheduling a hearing on the Motion.

6. Rule 9019 of the Federal Rules of Bankruptcy Procedure provides in subsection (a): On motion by the trustee and after notice and a hearing, the court may approve a compromise or settlement. Notice shall be given to creditors, the United States trustee, the debtor, and indenture trustee as provided in Rule 2002 and to any other entity as the court may direct.

7. Under Rule 9019, the bankruptcy court (in accordance with Rule 2002) is given significant discretion regarding the breadth and sufficiency of the notice required.

8. Bankruptcy Rule 2002 requires that any application for the hearing on approval of a compromise or settlement of a controversy be served with twenty-one (21) days notice. Fed.

R. Bankr. P. 2002(a)(3). Local Rule 9006-1(a)(ii) requires that any objection be filed seven (7) days prior to the hearing date, giving parties in interest effectively fourteen (14) days to review a said Motion and file objections.

9. So as to provide the United States Trustee and creditors with adequate time to review and respond to the Motion, undersigned consents to shortening the time for response so that objections can be filed by noon the day prior to the Motion hearing.

**STATEMENT REGARDING PREVIOUS RELIEF REQUESTED**

10. No prior application for the relief requested herein has been made to this Court or any other court.

**WHEREFORE**, the undersigned respectfully request that the Court enter an order substantially in the form of the annexed order together with such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
July 7, 2011

Respectfully submitted,

Dahiya Law Offices, LLC

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